

Article - Insurance

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§18–110.

(a) (1) In this section, “home health care services” means medical or nonmedical services provided to ill, disabled, or infirm individuals in their residences.

(2) “Home health care services” includes:

- (i) homemaker services;
- (ii) assistance with activities of daily living; and
- (iii) respite care services.

(b) A policy or certificate of long-term care insurance that provides benefits for home health care services may not limit or exclude benefits by:

(1) requiring that the insured would need care in a nursing facility if home health care services were not provided;

(2) requiring that the insured first or simultaneously receive nursing or therapeutic services at home or in a community setting before home health care services are covered.

(3) limiting eligible services provided by registered nurses or licensed practical nurses;

(4) requiring that a nurse or therapist provide services covered by the policy or certificate of long-term care insurance that can be provided by a home health aide or other licensed or certified home care worker who acts within the scope of licensure or certification;

(5) requiring that the insured have an acute condition before home health care services are covered; or

(6) limiting benefits to services provided by Medicare-certified agencies or providers.

(c) Coverage for home health care services may be applied to the coverage for other benefits provided in the policy or certificate of long-term care insurance when determining maximum coverage under the terms of the policy or certificate.

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